

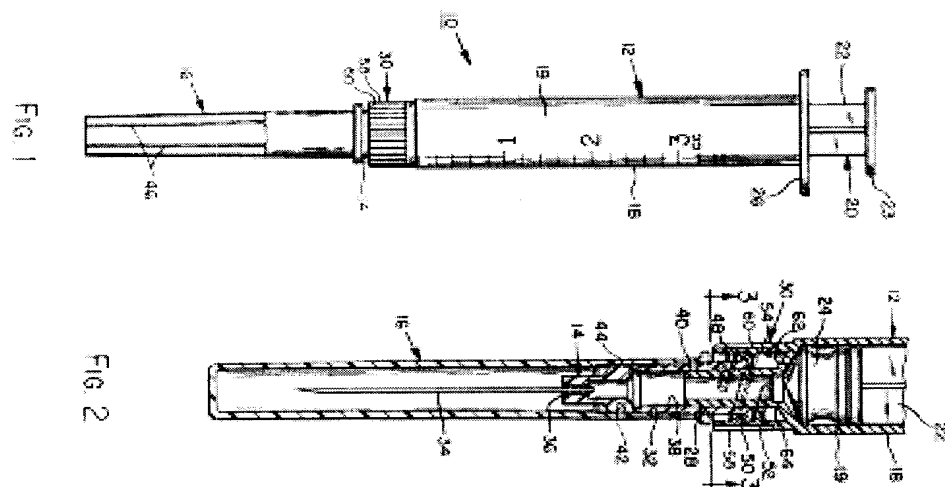
## **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1 and 9 remain in the application. Claim 1 has been amended to include the features of claims 5-7, cancelled herein. Claims 10 and 13-16 have also been cancelled. Claims 2-4, 8 and 11-12 have been cancelled previously.

Claims 1, 5-7, 9-10, and 13-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 4,220,151 to Whitney (hereinafter Whitney). For the following reasons, the Examiner's rejection is traversed.

Whitney is directed to a disposable Luer lock syringe provided with an integral Luer tapered needle connector and an integral, internally threaded, Luer lock retaining collar surrounding the connector and having a plurality of circumferentially spaced, longitudinal grooves. Figs. 1&2 of Whitney has been reproduced below.



Whitney does not disclose all of the features of amended claim 1. Claim 1 has been amended to include the features of previous 5-7 only, thus, an additional search burden is not being placed on the Examiner.

Specifically, claim 1 requires both that:

H) the borehole (21) in the connecting piece (8) has an internal thread (10); and

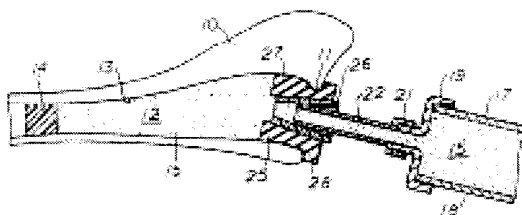
I) the cannula (13), at the rear end (15), comprises an external thread, which is complementary to the internal thread (10).

Whitney discloses a Luer-lock connection, which by definition does not meet the requirements of claim 1. A Luer-lock connection does not include exterior threads anywhere therein, but rather exterior tabs substituted on one portion of the connection. In Whitney, these tabs (or ears) are labeled 48 and 50. A replacement of these tabs by an external thread would not allow a break away disconnection of the connector 28 from the barrel 18 which is required by Whitney (see row 4, lines 39-45) and thus can not be considered an obvious variation.

In view of the statements made above, reconsideration and withdrawal of the rejection of claim 1 under §102(b) is respectfully requested. Claim 9 depends directly from claim 1 and is believed to be allowable at least for the reasons stated above. Reconsideration and withdrawal of the rejection of claims 1 and 9 is respectfully requested.

Claim 1 also stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 4,815,454 to Dozier (hereinafter Dozier). For the following reasons, the Examiner's rejection is traversed.

Dozier (Fig. 5 shown below) is directed to common cement cartridges containing penetrating bone cement held within a cylinder having a flange at one end and a plunger at the other end. A front closure cap allows for front loading of the cement into the cartridge and also for the interchangeability of tips or nozzles.



Dozier fails to teach or suggest either of the following features:

H) the borehole (21) in the connecting piece (8) has an internal thread (10); and

I) the cannula (13), at the rear end (15), comprises an external thread, which is complementary to the internal thread (10).

Rather, Dozier teaches a tubular nozzle 22 with an internal thread and a plunger 19 with an external thread. Because Dozier does not teach or suggest all of the features of amended claim 1, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103(a) is respectfully requested.

Claims 5-10 and 13-16 stand rejected as being unpatentable under 35 U.S.C. §103(a) over Dozier in view of Whitney. Applicant believes that in view of the amendments made herein, this rejection is applicable to remaining claims 1 and 9. However, for the following reasons, the rejection is traversed.

The Examiner states the Dozier fails to disclose a cannula connected with threads via a Luer lock with an internal thread, but that such a connection would be

obvious in view of *In re Einstein*. Applicant respectfully disagrees with the Examiner's reasoning.

Within amended claim 1, the claimed connection is not a Luer lock (which would require one portion of the mating parts to include hubs/ears), but rather includes an external thread that mates with an internal thread. Thus, the teachings within the references with respect to a Luer lock are not relevant.

Further, the Examiner suggests that a reversal of essential working parts is an obvious variation of a device. In this instance, reversal of device parts in Dozier would not be obvious. Because the elements 19 and 21 are not similar, these components of the device in Dozier would also need to be resized and reconfigured completely (the size and configuration of parts 19 and 22 would need to change) in order for the device of Dozier to function in a usable manner. Complete reconfiguration and resizing would not be an obvious variation of the device taught by Dozier.

As Whitney is directed to only a Luer lock connection device, Whitney does not cure the deficiencies in Dozier with respect to the claimed invention.

Reconsideration and withdrawal of the rejection of claims 1 and 9 over Dozier in view of Whitney under 35 U.S.C. §103(a) is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. LUS-16768.

Respectfully submitted,

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